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Report on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Financing of the United Nations Organization Mission in the Democratic Republic of the Congo

Report of the Office of Internal Oversight Services on its investigation into allegations of sexual exploitation and abuse in the Ituri region (Bunia) in the United Nations Organization Mission in the Democratic Republic of the Congo

Summary

In early 2004, there were media reports of sexual exploitation and abuse of Congolese young women and girls by United Nations peacekeepers in the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) at Bunia. The Office of Internal Oversight Services (OIOS) investigated these allegations and issued report A/59/661, "Investigation by the Office of Internal Oversight Services into allegations of sexual exploitation and abuse in the United Nations Organization Mission in the Democratic Republic of the Congo", dated 5 January 2005. That report found serious problems in this regard at MONUC, and OIOS made recommendations to prevent sexual exploitation and abuse by peacekeepers, as well as recommendations to provide the poverty-stricken Congolese girls with alternatives to prostitution.

From mid-2005, OIOS returned to the region to investigate individual reports of sexual exploitation and abuse, learned of many allegations of misconduct very similar to those received in 2004 and, as a result, renewed investigation activity in Bunia. From 17 January to 13 February 2006, OIOS investigators operating in Bunia received allegations of 217 instances of peacekeepers who paid girls, aged 18 and under, for sexual relations with money, food or clothing. Fifty-four alleged victims

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were identified. OIOS also received reports of 10 girls who had given birth to or were pregnant with children allegedly fathered by peacekeepers. In all, 75 peacekeepers were alleged to have engaged in sexual relations with Congolese girls.

Despite what collectively was a clear pattern of exploitation, it became virtually impossible to substantiate specific instances of sexual exploitation and abuse by conclusive evidence. In many of these cases, the accused peacekeeper was no longer in Bunia. Many complainants became frightened at the prospect of being confronted with the subjects of investigation, or were pressured or intimidated by young prostitutes not to cooperate with OIOS. Some complainants lost interest in further cooperation when they learned that they would not receive financial compensation for their cooperation. In the end, only one case was fully substantiated and reported by OIOS to the Department of Peacekeeping Operations.

Based on the 217 allegations received during this investigation, the young women and girls of Bunia remain at high risk of sexual exploitation and abuse, notwithstanding the findings and recommendations of the previous OIOS report (A/59/661). Furthermore, OIOS has recently learned that girls are following contingents from locality to locality, offering their services.

The United Nations must engage all potential stakeholders to address the social and economic problems that lead girls into prostitution. OIOS will continue to do its part, noting however that the child prostitution and related sexual exploitation and abuse issues require proactive initiatives by all actors concerned. Greater efforts are required to offer these young victims the chance to escape the abject poverty in which they continue to live. On a positive note, in August 2006 the Democratic Republic of the Congo made it a crime to have sexual relations with a child less than 18 years of age, although prostitution is not criminalized.

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I. Introduction

1. In May 2004, the media reported allegations of widespread sexual exploitation and abuse by peacekeepers in the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) at Bunia, Democratic Republic of the Congo.[1] At the request of MONUC senior management, OIOS investigated 72 allegations of sexual exploitation and abuse and issued reports to the Department of Peacekeeping Operations and MONUC on 20 individual cases, 19 of which involved peacekeepers. Six allegations of sexual exploitation and abuse were substantiated. The investigation was summarized in an OIOS report, "Investigation by the Office of Internal Oversight Services into allegations of sexual exploitation and abuse in the United Nations Organization Mission in the Democratic Republic of the Congo" (A/59/661).

2. In January 2006, OIOS received further allegations of sexual exploitation and abuse by peacekeepers in Bunia. OIOS redeployed a team of male and female investigators from different ethnic and cultural backgrounds, experienced in dealing with the issues of sexual exploitation and abuse, to Bunia to investigate these allegations. In the course of that investigation, OIOS received 217 allegations of sexual abuse and exploitation against a total of 75 peacekeepers. However, only one allegation was fully substantiated, for a variety of reasons: in many of these cases, the accused peacekeeper was no longer in Bunia; many complainants became frightened at the prospect of being confronted with the subjects of investigation; some complainants were pressured or intimidated by other prostitutes not to cooperate with OIOS; and complainants lost interest in further cooperation when they learned they would not receive financial compensation for their cooperation. Without an in-person identification by a victim of the peacekeeper with whom she claimed to have had sexual relations, substantiation of the allegation was not possible. This report is an overview of the OIOS investigation and the problems it identified.

3. When this investigation was initiated in January 2006, the majority of displaced persons had been assimilated within the local community and the Bunia camp was a fraction of its original size. Conflict in Bunia continued, although not as intensively as in 2004.

4. Most of the local population continues to live in poverty. Prostitution is a fact of life and a source of income for some girls and women, especially in impoverished areas such as Bunia. The Penal Code of the Democratic Republic of the Congo does not criminalize prostitution. However, in August 2006, the Code was amended to make sexual relations with a child less than 18 years of age a crime (previously it had been a crime to have sexual relations with a child less than 14 years of age).

5. A draft of this report, dated 30 January 2007, was provided to the Department of Peacekeeping Operations. Responses were received from MONUC (dated

[1] Bunia is the capital of Ituri Province which is in the north-east of the Democratic Republic of the Congo. In May 2003, the region experienced intense ethnic conflict, which resulted in the displacement of tens of thousands of Congolese citizens, many of whom were sheltered in a camp for internally displaced persons in Bunia. Bunia remains the headquarters and logistics base of MONUC Sector 6. The national contingents and the military police unit in this sector are from seven Member States.

16 March 2007) and from the Department (dated 21 March 2007). Their comments appear in italics in this report.

II. Investigative activities

A. Methodology

6. OIOS met with concerned parties, including military personnel from the office of the MONUC Force Commander, the contingent commanders in Bunia, MONUC senior managers, staff of United Nations agencies and non-governmental organizations with responsibilities in the region, Congolese citizens, and staff of the Department of Peacekeeping Operations.

7. OIOS investigators interviewed all girls identified as victims who were willing to cooperate, as well as witnesses. Documents and photographs were obtained and analysed. The girls then viewed photographic arrays of peacekeepers in an attempt to identify the alleged perpetrators. Thereafter, girls who were still willing to cooperate with the investigation viewed physical line-ups of peacekeepers and interviews of identified peacekeepers were conducted. A military legal officer and a representative from the respective military contingent were present during all line-ups and interviews.

B. Allegations

8. Upon arrival in January 2006, the OIOS team met with the coordinators of a local non-governmental organization, "Union des Femmes pour le Développement", who reported that some Congolese girls had given birth to babies allegedly fathered by peacekeepers. Investigators then met at this NGO's office with Congolese girls, 15 to 18 years of age, who reported additional instances of themselves or other girls having had sexual relations with peacekeepers in return for money, food or goods.

9. From 17 January to 13 February 2006 the following allegations were received by OIOS:

Allegations of sexual exploitation and abuse[2]	217
Alleged victims[3]	54
Allegations of babies fathered or girls impregnated	10
Peacekeepers alleged to have engaged in sexual exploitation and abuse of local girls	75

10. Of the 75 peacekeepers alleged to have engaged in sexual exploitation and abuse, 39 were still in Bunia in the course of the OIOS investigation. However, as the investigation progressed, many girls ceased cooperating and, as a result, only 14

[2] This figure represents sexual relationships rather than individual sexual acts.

[3] Not all the alleged victims were interviewed. Of the 54 alleged victims, only 14 admitted that they had had sexual relations with a peacekeeper(s). Of the other 40 girls, 3 denied involvement with peacekeepers, 20 could not be found, 10 were not identified, and 7 refused to cooperate with OIOS.

of the 39 peacekeepers were required to participate in a physical line-up. During the physical line-up several girls identified peacekeepers who, they claimed, had had sex with other girls. However, only two girls made positive identifications, both photographic and physical, of peacekeepers with whom they claimed to have had sexual relations themselves. Only one of these cases had the necessary corroborating evidence to substantiate the allegations against the peacekeeper identified. Nevertheless, all 39 peacekeepers were interviewed by OIOS.

1. Victims, witnesses and alleged perpetrators

11. OIOS noted that 10 of the girls interviewed had been victims identified in its prior investigation (see A/59/661). As in 2004, they were destitute and had no prospects for education or training in employable skills. None of the girls interviewed by OIOS came from a stable environment, and education beyond elementary grades was non-existent. The girls often lived with prostitutes, friends or distant relatives. Most had no visible means of financial support, other than the money, food and clothing they received from peacekeepers in payment for sexual relations.

12. While one girl who cooperated with the investigation considered herself a prostitute and claimed to have had sexual relations with more than 15 peacekeepers, most referred to the peacekeepers with whom they were having sexual relations as their "boyfriends". Upon a "boyfriend's" rotation out of Bunia, the girl often became sexually involved with a new "boyfriend".

13. OIOS encountered many obstacles in this investigation:

(a) In some cases, the accused peacekeeper was no longer in Bunia;

(b) Some girls expected to be paid for participating in the investigation, and refused to cooperate upon being informed that OIOS does not pay for information;

(c) Some girls who refused to cooperate with the investigation out of concern that it might eliminate what they described as their only source of income threatened those who were cooperating;

(d) Some girls alleged they had been subjected to bribes, intimidation or both by peacekeepers;

(e) Some girls, with prior negative experiences with Congolese authorities such as sexual abuse, intimidation and solicitation of bribes, were fearful of cooperating with the investigation.

14. Consequently, many girls who initially cooperated with the investigation refused to participate at the physical line-up stage, or failed to identify the alleged perpetrators.

2. The United Nations military environment in Bunia

15. Contingent commanders and their officers were frequently reluctant to cooperate with the OIOS investigation:

(a) Some were not familiar with the OIOS mandate to investigate allegations of sexual exploitation and abuse, despite the predeployment training provided by the Department of Peacekeeping Operations for contingents in the Mission;

(b) There were allegations that local girls, who attempted to seduce peacekeepers through sexual teasing, were the real problem;

(c) There was a perception that OIOS had elicited allegations, which they claimed were fabricated by the victims in an attempt to extort money;

(d) They emphasized the stress and pressure the allegations and the investigation put on their soldiers.

3. Military contingents

16. OIOS confirmed that sexual exploitation and abuse-awareness training had been given to all peacekeepers both prior to their deployment to MONUC and upon their arrival.

17. However, OIOS observed that only one contingent had implemented measures designed to prevent sexual exploitation and abuse. The contingent commander concerned installed wire mesh within the military camp perimeter fencing to prevent direct contact between the peacekeepers and the local population — a problem identified by OIOS in 2004. Not only were basketball, football, volleyball and miniature golf facilities and a running track constructed within the camp, but there were mandatory games and tournaments, including a contest to see which unit could construct the best garden in front of its designated barracks. Peacekeepers had access to television programmes from home and were provided with free telephone calls to their families. These peacekeepers were not paid their mission allowances while deployed in Bunia and consequently did not have cash to pay for sex. Only a few allegations of sexual exploitation and abuse were made against peacekeepers from this contingent, and these allegations were unsubstantiated.

18. Another contingent was assigned responsibility for security and perimeter control at Bunia and manned 10 checkpoints around the town. Peacekeepers were assigned 30-day rotations from one checkpoint to another, during which they ate, slept and worked at the checkpoint. Their work and accommodations involved direct contact with the local population, separated at most by strands of barbed wire. While there were limited recreational facilities at the main camp, there were none at any of the checkpoints inspected by OIOS. The bulk of the allegations received in this investigation were made against peacekeepers from this contingent.

III. Applicable legal provisions

19. The allegations in these cases were that peacekeepers were involved in exploitative behaviour by having sexual relations with Congolese girls between the ages of 14 and 18. Sexual exploitation and abuse is prohibited conduct under rule 4 of the Code of Personal Conduct for Blue Helmets and the MONUC code of conduct. The MONUC code of conduct defines an act of sexual abuse and/or exploitation as (a) any exchange of money, employment, goods or services for sexual intercourse, (b) sexual activity with a person under the age of 18, and (c) any other sexual misconduct that has a detrimental effect on the image, credibility, impartiality or integrity of the Organization. Failure to observe these standards of conduct renders the perpetrators liable to disciplinary action for serious misconduct, as defined in section III of the Department of Peacekeeping Operations Directives for Disciplinary Matters Involving Military Members of National Contingents. All

troop-contributing countries recognize the Code of Personal Conduct for Blue Helmets as binding. In addition to the codes, bulletins and directives noted in this section, peacekeepers are subject to the laws of their own country.

20. The Secretary-General promulgated ST/SGB/2003/13 in 2003. This bulletin is binding on United Nations staff and its provisions are similar to those contained in the MONUC code of conduct. Section 1 of the bulletin defines sexual exploitation as "any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another". Sexual abuse is defined as "actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions". In demanding or seeking sexual favours from these vulnerable victims, the peacekeepers abused their position of power. By virtue of their unequal social position and their relative wealth, and the ability to bestow small amounts of money or food on the girls, the peacekeepers could take advantage of the local population, which has little means of its own.

21. Under section 7 of the Secretary-General's bulletin on observance by United Nations forces of international humanitarian law (ST/SGB/1999/13), United Nations forces conducting operations under United Nations command and control are prohibited from committing acts of sexual exploitation and abuse and have a particular duty to protect women and children from such assaults. The need for the contingents to be close to the local population in order to protect them from militia attacks provides not only an opportunity to supply the required protection, but also, unfortunately, an opportunity to exploit the dire needs of vulnerable children, thereby violating established United Nations policies.

IV. Investigative findings

A. General evidence of sexual abuse

22. OIOS must establish reliable and convincing evidence to support its investigatory findings and recommendations. Consequently, although the allegations received by OIOS suggested frequent and ongoing sexual contact between local girls and peacekeepers, there was sufficient evidence to fully substantiate only one of the allegations.

23. There were clear indications that girls in Bunia frequently had sex with peacekeepers:

(a) The girls often had detailed knowledge of a peacekeeper, such as his first name, rank, position or exact repatriation date;

(b) While most girls referred to their sexual partners as "boyfriends", some acknowledged that they were prostitutes;

(c) The girls corroborated each other's evidence of sexual contact with peacekeepers and on several occasions identified the same individual from an array of over 750 photographs. However, many of these girls refused to cooperate at the physical line-up stage of the investigation;

(d) Some of the girls identified three drinking establishments where peacekeepers could obtain alcohol and sex. OIOS investigators visited two of the

establishments, one which was only 200 metres from a contingent camp, and noted evidence of alcohol consumption in the front room and a mattress in the back room.

24. Given the economic hardship and lack of family support or other sources of income facing the girls, in addition to the reported bribes and intimidation and their apprehension of the investigative process, it is not surprising that some girls refused to cooperate or ceased their cooperation with the OIOS investigation. Although only one allegation was substantiated, it is reasonable to infer that a number of peacekeepers based in Bunia have been paying Congolese girls for sex, in violation of established United Nations policies. Consequently, OIOS concludes that there continues to be a high risk at Bunia that the Organization's commitment to zero tolerance of sexual exploitation and abuse will not be achieved.

B. The substantiated case

25. The Congolese girl in the case substantiated by OIOS claimed that she was 17 years old, although, like most of the girls interviewed, she had no documentary proof of her age. When interviewed, she was eight months pregnant. She alleged that she had had her first sexual encounter in 2004 with a peacekeeper stationed in Bunia and stated that, since that time, she and her girlfriends had regularly engaged in sexual intercourse with peacekeepers deployed to Bunia. She further alleged that the father of her unborn child was one of three peacekeepers (she did not know which one) who had been paying her for sex near the time of conception. When shown a photographic array of peacekeepers, she identified one of them as her "boyfriend" of the previous four or five months and detailed the various duty stations to which he had been assigned. She subsequently identified him in the physical line-up. Four other girls identified the same individual as the "boyfriend" of the victim in photographic arrays of peacekeepers, and also provided corroboration of the victim's statements regarding the person concerned.

C. Assessment of the risk of sexual exploitation and abuse by peacekeepers in Bunia

26. Pursuant to paragraph 17 of its mandate (ST/SGB/273), OIOS is responsible for the investigation of alleged violations. It is also delegated to assess potential risks to United Nations operations which could lead to violations of established regulations, rules and policies. In this regard, OIOS notes the following concerns:

(a) The 2004 civil conflict in the Democratic Republic of the Congo resulted in economic hardship, family breakdown and poor education. Consequently, some girls resorted to prostitution. OIOS observations suggest a pattern of peacekeepers having sexual relations with prostitutes, including child prostitutes, in contravention of United Nations policies;

(b) Prostitution is a "supply and demand" situation. In many peacekeeping missions, not just MONUC, there is ample potential demand: peacekeepers, United Nations international and local staff and United Nations contractors. All have a significantly higher income level than the local population, whose dire economic situation means there is an ample supply of girls and young women offering sex in exchange for money, food or clothes;

(c) The military guard post structure in Bunia offers no deterrence to close contact with the local population, nor are the peacekeepers stationed at them provided with adequate recreational activities. This, coupled with the lack of concern by some commanding officers over allegations of sexual exploitation and abuse, suggests ineffective measures to enforce zero tolerance. It sometimes appears that a "boys will be boys" attitude prevails with respect to command and control of personnel.

27. OIOS also notes an unrelated allegation, reported in a newspaper on 2 January 2007, of sexual exploitation and abuse by peacekeepers in the Sudan. In an attempt to follow up and investigate that allegation, OIOS directly requested further information from the newspaper concerned. As of the release of the present report, the newspaper has not provided any information which would enable OIOS to initiate an investigation into the allegation.

D. Proactive prevention of sexual exploitation and abuse

28. The commanders of one contingent in Bunia take a proactive approach to preventing sexual exploitation and abuse by providing recreational and other outlets for their soldiers. Such efforts should be used as a model for other national contingents in MONUC and elsewhere in peacekeeping operations.

V. Conclusions

29. The Department of Peacekeeping Operations has created and staffed conduct and discipline units in many peacekeeping missions and at New York Headquarters to raise awareness of sexual exploitation and abuse issues and to provide on-the-ground training to both peacekeepers and United Nations staff. Collaboration between the Department and troop-contributing countries has been ongoing, and a new draft model memorandum of understanding is being negotiated to ensure that all parties address these issues. Positive changes have also occurred in the missions, as exemplified by the contingent in Bunia that separated its troops from the local community and provided recreational outlets for them.

30. OIOS believes that ongoing discussions between the Department, troop-contributing countries and OIOS will result in the strengthening of relevant policies concerning misconduct and discipline for all categories of personnel.

31. However, OIOS re-emphasizes that the complex issues of child prostitution and sexual exploitation and abuse cannot be eradicated by the Department's training initiatives, OIOS investigations or the strengthening of command and control of peacekeepers. The abject poverty that forces young girls to sell themselves must be the focus of developmental efforts across the United Nations family. Agencies such as the United Nations Children's Fund (UNICEF) should be engaged to discuss and develop ways forward in providing economic opportunities for these girls and women. Quick-impact projects and other similar programmes initiated by the United Nations have assisted impoverished societies in rebuilding and offer hope for vulnerable populations. OIOS believes such activity should be addressed at United Nations Headquarters, in conjunction with other United Nations organizations in the Democratic Republic of the Congo and the wider NGO community. The

Organization must mobilize resources, perhaps initially through the local United Nations country team, and take a more vigorous and concerted approach in order to address this problem and achieve a sustainable change in the lives of young girls and women in the Democratic Republic of the Congo.

32. The Special Representative of the Secretary-General for MONUC made the following general comments in his response to the draft report:

> *Firstly, as soon as I became aware of the 217 allegations of sexual exploitation and abuse in Bunia, I immediately dispatched my Chief of Staff and the Chief of the MONUC Conduct and Discipline Team to review the measures that had been put in place.*
>
> *Secondly, much has happened since late 2004 to early 2006. A high-level investigation team was sent to MONUC in December 2004, which was followed by the establishment of an Office for Addressing Sexual Exploitation and Abuse in March 2005. The Conduct and Discipline Team was established in November 2005 replacing the Office concerned. The Team was only fully staffed in April 2006. It spent the remainder of 2006 establishing and implementing strategies addressing training, reporting of misconduct allegations, outreach initiatives, establishment of an allegation data base and assessment visits to various field offices, including those in Ituri.*

33. OIOS agrees that much work has been done in regard to prevention of sexual exploitation and abuse in MONUC since document A/59/661 was issued. However, as described in the present report, prostitution remains prevalent in the Ituri region. Local girls continue to sell their bodies for nothing more than milk, food or small sums of money. This has been occurring unabated for several years in the region.

VI. Recommendations

34. Given the findings of this investigation, OIOS makes the recommendations set out below.

Recommendation 1

35. The Department of Peacekeeping Operations and MONUC should address the full implementation of recommendations 2, 3 and 5 to 8 of OIOS report A/59/661 (ID Rec. No. IV05/618/01);[4]

> **Recommendation 2 (A/59/661)**: The Department of Peacekeeping Operations and MONUC, as a matter of high priority, should implement a strong prevention programme, with emphasis on protecting the most vulnerable girls (those under 18 years of age), and establish a rapid-response detection programme, utilizing personnel experienced in such cases, beginning in Bunia on an expedited basis and then expanding to the other regions of MONUC.
>
> *MONUC responded that the Department of Peacekeeping Operations sent a high-level investigation team in December 2004, which segued into the Office for Addressing Sexual Exploitation and Abuse in March 2005. The Office was*

[4] The symbols in parentheses in this section refer to an internal code used by OIOS for recording recommendations.

staffed by trained and experienced investigators in sexual exploitation and abuse. It provided a rapid response to allegations. During the existence of the Office in 2005, it conducted 131 investigations into allegations of sexual exploitation and abuse throughout the mission. Preventive measures were implemented on 28 February 2005 (revised on 7 December 2005 and 5 May 2006) and the MONUC code of conduct was revised in March 2005. Wherever possible, training took place, including training of the military component in Ituri. With respect to Ituri specifically, investigation teams from the Office for Sexual Exploitation and Abuse travelled to Ituri on eight separate occasions from January to July 2005 for approximately 69 days in total. During these trips to Ituri, a total of 28 allegations were investigated. From August 2005, OIOS assumed responsibility for responding to allegations of sexual exploitation and abuse. The MONUC Conduct and Discipline Team's efforts from then to date have been focused on prevention, training and outreach. There have been numerous standard operating procedures on reporting of misconduct and briefings to heads of office and contingent commanders. Four "train-the-trainers" sessions have been conducted in Ituri alone during 2006.

Recommendation 3 (A/59/661): Senior MONUC managers must become more involved and demand accountability from both civilian administrators and contingent commanders in the Mission. MONUC must take steps to ensure that administrators and officers demonstrate implementation of all existing regulations and policies aimed at preventing sexual abuse and exploitation.

MONUC stated that the Special Representative of the Secretary-General has personally stressed the responsibility of management and command at every available opportunity. The Special Representative has been wholeheartedly supported by the Force Commander, who has on numerous occasions requested contingent commanders to personally account for the behaviour of their troops. The Conduct and Discipline Team regularly conducts briefings with brigade and contingent commanders where their accountability and responsibility is emphasized. On occasions where the behaviour of officers has been found wanting, a request has been made for their immediate repatriation. More could have been done in this regard, had allegations which had been referred to OIOS been investigated more expeditiously. Focal points on sexual exploitation and abuse have been appointed in all field offices and within the uniformed component of the Mission. Action plans at all levels to address misconduct, including sexual exploitation and abuse, have been drafted and implemented.

Recommendation 5 (A/59/661): The MONUC Force Commander, in conjunction with contingent commanders, should enforce strict discipline over the personnel under their command.

According to MONUC, this has been addressed to some extent by the comments to recommendation 3. The Force Commander issued a Force Order on 22 July 2005 establishing and confirming strict measures aimed at preventing sexual exploitation and abuse. These measures are enforced by approximately 200 military policemen who conduct on average 2,000 patrols a month throughout the Mission area. Some individual contingent commanders have imposed even more severe measures. Preventive measures are under constant review by the commanders of the military component. The Force

Commander has zero tolerance in respect of any individual, especially those in command and control positions, who breach the code of conduct or any part of his preventive measures.

Recommendation 6 (A/59/661): MONUC should identify and implement measures that ensure that all military compounds are adequately secured to prevent unauthorized entry and egress as well as ad hoc trading between troops and the local population.

MONUC commented that every effort is made to ensure that military compounds are secure. This is not always immediately possible, as some military units have to be rapidly deployed to new positions and such positions may only be of a temporary nature. In addition, the Force Commander has established a strict non-fraternization policy for military contingent members, in terms of which all non-official contact with the local population is forbidden. All reported breaches of this policy are dealt with firmly by the Force Commander and the relevant contingent commander.

Recommendation 7 (A/59/661): MONUC should collaborate, perhaps under the auspices of the Office for the Coordination of Humanitarian Affairs, with other non-governmental organizations and United Nations agencies in the Bunia area to find ways of strengthening the existing programmes to empower and protect the vulnerable population to allow for alternative means of survival.

MONUC responded that an inter-agency focal point network has been established to ensure commonality in efforts to address sexual exploitation and abuse. In Bunia specifically, funding for quick-impact projects was made available to an international NGO to implement a programme affecting prostitutes in Bunia. During assessment visits to the field, the Conduct and Discipline Team, and previously the Office for Addressing Sexual Exploitation and Abuse, met with and worked closely with national and international NGOs. This is still an ongoing process whereby new ways of collaboration are being pursued.

Recommendation 8 (A/59/661): Given that this problem is not unique to MONUC, and with new missions being opened in areas where similar problems can arise, it is recommended that the Department of Peacekeeping Operations consider a wider application of prevention and detection policies to protect against sexual abuse and exploitation by peacekeepers. This may include the designation of local officials or non-governmental organizations to receive reports of sexual exploitation and abuse; the central reporting of all cases to mission senior management on an expedited basis; the development of mission-based rapid-response teams; the development of educational programmes for the troops on their responsibilities and on sanctions for sexual exploitation and abuse; the public naming and shaming of those found to have engaged in sexual exploitation and abuse; and the permanent exclusion from peacekeeping missions of those troops who engage in sexual exploitation and abuse and of their contingents' commanders.

MONUC stated that the recommendation is addressed to the Department of Peacekeeping Operations and not specifically to MONUC. Nevertheless, the Special Representative of the Secretary-General issued instructions in March

2005 on the establishment of the Office for Addressing Sexual Exploitation and Abuse that all allegations of sexual exploitation and abuse involving all categories of personnel were to be centrally reported to the Office. With respect to other measures implemented by MONUC, please see the comments in the preceding paragraphs. The MONUC Conduct and Discipline Team has directly and indirectly (through a "train the trainers" programme) trained over 50,000 personnel in 2006 alone. Finally, whether naming and shaming should become a policy is for the Department of Peacekeeping Operations to determine.

The Department commented that it currently maintains a database of all troops who engage in sexual exploitation and abuse, including commanders who fail to provide an environment which prevents sexual exploitation and abuse. Such personnel are excluded from participating in any current or future United Nations peacekeeping operations. Additionally, while the Department has commended troop-contributing countries which have taken disciplinary action against offending troops, it is yet to consider the policy of publicly naming and shaming of those found to have engaged in sexual exploitation and abuse.

36. Despite proactive initiatives by the Department of Peacekeeping Operations and MONUC, there remain vulnerable girls in Bunia who resort to prostitution. Greater efforts must be made by the Department, MONUC and other organs, such as UNICEF and the United Nations Development Programme (UNDP), to offer alternatives to prostitution such as education and employment opportunities, and to develop the economy in the region.

Recommendation 2

37. It is recommended that the Department of Peacekeeping Operations advise the Permanent Missions of troop-contributing countries of the need to ensure that all military command staff are apprised of the Organization's commitment to a zero-tolerance policy towards sexual exploitation and abuse (ID Rec. No. IV05/618/02);

MONUC argued that, while not directed for implementation by the Mission, recent and present contingent commanders in MONUC are fully supportive of the zero-tolerance policy of the United Nations. The effectiveness of their command and commitment to the policy is evidenced by the fact that members of the contingent have been targeted by local sex workers with verbal and physical abuse for not making use of their services.

38. OIOS and others are aware that prostitution is still a source of income for many girls in the Ituri region. OIOS has recently learned that girls are following contingents from locality to locality, offering their services.

Pursuant to this recommendation, the Department of Peacekeeping Operations sent a note verbale to one Member State requesting that it take appropriate action on allegations referred to it for further investigation and disciplinary action. The note verbale further requested an urgent meeting with the Permanent Mission to find ways to address the requirement to enforce the zero-tolerance policy with respect to sexual exploitation and abuse by their personnel serving in United Nations peacekeeping operations.

Recommendation 3

39. It is recommended that the Department of Peacekeeping Operations and the Force Commander of MONUC collaborate in reviewing the modalities of checkpoint deployment of troops in Bunia, such as lengthy assignments at a single checkpoint, to determine preventive measures aimed at reducing allegations of sexual exploitation and abuse emanating from current deployment policy. Consideration should also be given to providing recreational and related welfare outlets for troops (ID Rec. No. IV05/618/03);

According to MONUC, the Force Commander has indicated that he will request the relevant contingent commander and the Ituri brigade commander to review the present deployment policy of those troops. Any amendment to the policy will of course be subject to operational exigencies. With respect to welfare and recreation, MONUC awaits the approval of the new welfare and recreational policy. In the meantime, every effort is made to address this important issue within the existing constraints and budgetary resources.

The Department of Peacekeeping Operations reiterated MONUC's position that any amendment of the current deployment policy in the Ituri region will be subject to operational exigencies. Additionally, the standard operating procedure on welfare and recreation has been considered and approved by the expanded senior management team. It is soon to be forwarded to all missions for implementation.

Recommendation 4

40. It is recommended that the Department of Peacekeeping Operations promote, in MONUC and other United Nations peacekeeping operations, the preventive measures implemented by some contingent commanders in Bunia to implement the Organization's policy of zero tolerance of sexual exploitation and abuse (ID Rec. No. IV05/618/04);

MONUC responded that the efforts of some commanders to prevent sexual exploitation and abuse have indeed been very successful. However, caution should be exercised in transplanting the approach of one contingent to another. Factors such as religion and culture play a significant role in the success or otherwise of a particular measure. There are indeed some contingents in Bunia in respect of which not a single allegation of sexual exploitation and abuse has been received by the Conduct and Discipline Team in 2006 and who have different preventive measures in place. It is therefore suggested that the preventive measures of all contingents be considered with a view to establishing a best practice. However, no matter how effective the preventive measures are, the effectiveness will depend on command and enforcement.

The Department of Peacekeeping Operations commented that it is considering the preventive measures being implemented by all contingents, including the concerned contingent, with a view to establishing best practices which will be disseminated to all missions, including MONUC.

Recommendation 5

41. It is recommended that the Department of Peacekeeping Operations re-emphasize the vigorous application of all established policies aimed at holding contingent commanders personally accountable for the maintenance of their troops' discipline, including the prevention of sexual exploitation and abuse (ID Rec. No. IV05/618/05);

The Department of Peacekeeping Operations observes that the existing Force Commanders' directives contain ample stipulations aimed at holding contingent commanders personally accountable for the maintenance of discipline of the troops under their command. The Department will, however, send a reminder to all missions re-emphasizing the vigorous application of the Force Commanders' directives.

(*Signed*) Inga-Britt **Ahlenius**
Under-Secretary-General for Internal Oversight Services